

White House Warned on Easing Clean Air Rules

Democratic Lawmakers, 9 Attorneys General Vow to Challenge Plan on Older Coal-Fired Plants

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Democratic lawmakers and the attorneys general of nine northeastern states vowed yesterday to challenge the Bush administration if it carries through with plans to substantially ease air pollution standards for the nation's older coal-fired power plants.

Officials of the Environmental Protection Agency, the Energy Department and the White House are finishing proposed revisions to rules that would provide plants in the Midwest and Southeast with more leeway to expand or modernize without having to install costly pollution controls or face prosecution for violating the Clean Air Act.

Well-financed industry groups and powerful lobbyists -- including Republican National Committee Chairman Marc Racicot and former GOP chief Haley Barbour -- have pressed for changes in the rules in private meetings with the administration. Democrats and environmentalists charge that the White House is doing the bidding of industry and are demanding a full accounting of the deliberations.

Senate Judiciary Committee Chairman Patrick J. Leahy (D-Vt.) and Environment and Public Works Committee Chairman James M. Jeffords (I-Vt.) announced they will hold joint hearings early this year to investigate the rulemaking process and highlight changes that might further damage public health and the environment by increasing air pollution. Nationwide, as many as 30,100 deaths a year are related to power plant emissions, according to a study by Abt Associates, a private research group that does work for the EPA.

"This rollback would boost power plant pollution, and New England and other downwind regions would reap the worst of it," Leahy said. Jeffords added that "the administration should consider itself put on notice that it will be held accountable."

Meanwhile, the state attorneys general meeting here threatened legal action to block the administration from relaxing clean air rules regulating power plants and oil refineries, which are prominent sources of carbon dioxide and other pollutants that trigger respiratory problems and contribute to global warming.

The state officials said the EPA may have violated laws by excluding states from the final review process. They also warned that efforts by the administration to roll back clean air enforcement policies initiated during the Clinton administration would undermine many of the 51 lawsuits pending against power plants.

"The Bush administration message environmentally seems to be: Northeast drop dead," said Connecticut Attorney General Richard Blumenthal (D).

The attorneys general of Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island and Vermont also took part.

White House and EPA spokesmen stressed that the proposed rule changes were still in the works and that the lawmakers and attorneys general were premature in criticizing the process. "The White House has yet to receive the final report from the EPA and other agencies," said Claire Buchan, a White House spokeswoman. "Anyone who suggests that they know what it's going to say is simply speculating."

Joe Martyak, the EPA press secretary, noted that his agency has held four public hearings into the proposed rule changes that generated 130,000 comments, and that more than 100 industry and environmental groups and state

and local governments had had their say -- including most of the states represented by the attorneys general.

The older power plants are exempt from the Clean Air Act's emission standards unless their operators expand the facilities and create new sources of pollution without installing modern anti-pollution equipment. The Clinton administration and states went after those plants in court, alleging they broke the law under the guise of simple maintenance. The Bush administration last year ordered the EPA and the departments of Energy and Justice to review the policy for possible changes to encourage more energy production.

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